

# **Private Fostering**

**Private Fostering  
Statement of Purpose**

# CONTENT

## PAGE

Introduction	3
Overview of Services	4
Definition of a Privately Fostered Child	5
The Local Authority's Duties and Functions under the Children Act 1989 and Children (Private Arrangements for Fostering) Regulations 2005	6
Ensuring the welfare of privately fostered children is safeguarded and promoted	8
The Fostering Panel	9
Additional Duties under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005	10
Training of Staff	10
How awareness of private fostering and the notification requirements will be promoted	10
Assessment of the suitability of private foster carers and their household	11
The role of other agencies in safeguarding and promoting the welfare of privately fostered children, including encouraging notification	14
Advice/support and information available to private foster carers (including prospective carers), to parents or those with parental responsibility	14
Information and support that will be available to privately fostered children.	15
Monitoring the discharge of functions and compliance with part 9 of the Children Act 1989	15
Complaints	16
Regulation and Inspection	17
Further information and advice on private fostering	17

## **Introduction**

This Statement of Purpose is a description of private fostering arrangements within the London Borough of Barking & Dagenham. The National Minimum Standards for Private Fostering, Standard 1, requires that there is a clear description of and guide to the service for professionals, the public, council members and external organisations.

This document defines what constitutes a private fostering arrangement; the requirement that the Local Authority is notified of all private fostering arrangements; the assessment process and the support and advice offered to parents, private foster carers and privately fostered children within Barking & Dagenham.

The London Borough of Barking & Dagenham Children's Care and Support Services is committed to supporting the upbringing of children within and by their families of origin wherever possible, with the minimum of intrusion from the Local Authority. While Children Care and Support services takes its responsibilities in relation to private fostering very seriously, it will seek to exercise those responsibilities in ways that are seen as supportive by children, parents and carers. It is not our intention to make judgements about or interfere in the arrangements that parents make for the care of their children, except where this is necessary to ensure that the welfare of the child is being adequately safeguarded.

It is our intention to work in partnership with children, carers and parents to ensure that:

- Children are provided with high quality child care that meets their needs
- Safeguarding children and their best interests at all times are of paramount importance.
- We work together to safeguard and promote children's physical, emotional, health, educational, social and cultural needs.
- Private foster carers are provided with advice, support and training which helps them to provide such care
- Birth parents feel able to seek the help and guidance of the Local Authority

Our aim is to ensure that we create a culture in Barking & Dagenham where birth parents, individuals with parental responsibility and carers, feel comfortable in notifying the Local Authority of private fostering arrangements and that they are aware of the benefits to them and the children in their care of them doing so.

The service works to ensure that equal opportunities are integrated into all aspects of our service delivery. The welfare of the child will always remain paramount and in every circumstance.

## **Overview of Services**

The London Borough of Barking & Dagenham Childrens' Care and Support has established clear policies and procedures on private fostering which set out how the authority discharges its duties in relation to the private fostering legislation.

The Private Fostering Service has two functions;

- To raise public and professional's awareness about private fostering and, the requirements to notify the Local Authority of any actual or planned private fostering arrangements
- To carry out the full assessment on the carer, their household and accommodation and to provide support to the child and adults involved.

It is the Council's policy that any private fostering notification will be screened by the screening team in the MASH who will carry out the initial checks. If it is established or thought to be a private fostering arrangement, the case details will then be passed to the Fostering Service. Partnership working between the social work team and the fostering service begin immediately with both parties having responsibilities.

## **Accountability: Roles and Responsibilities of Staff**

Barking & Dagenham's children social work staff and the Fostering Service have overlapping duties in relation to private fostering and a shared responsibility to assess and evaluate the suitability of private foster placements. The respective responsibilities of the allocated staff are outlined below.

### **Responsibilities of MASH**

The MASH is located at Barking Town Hall, Town Hall Square, Barking IG11 7LU together with the social work and fostering service.

- Respond to all notifications regarding a proposed or actual private fostering arrangement.
- Make initial contact with the private foster carer, the child, parents and anyone else with parental responsibility to gather basic information about the proposed or actual placement and ascertain that it is a private fostering arrangement.
- If it is established that it is a private fostering arrangement refer the child and the carer to the social work team and the Fostering Service within 24 hours of receiving the notification
- Evaluate whether the provision of support or other services would diminish the need for the child to be placed with private foster carers.
- Carry out initial checks to ensure that the welfare of the child is safeguarded and protected.

## **Responsibilities of the Private Fostering Social Worker**

- Conduct an assessment of the suitability of the private foster carers and other members of the household.
- Conduct an assessment of the suitability of the accommodation and the wider environment.
- Carry out all necessary checks i.e. DBSs for private foster carers and all members of the household who are over 16 years of age.
- Provide on-going advice, support and assistance to the child, carer, parent or others with parental responsibility, where necessary.
- Supervise the placement and monitor its suitability for the specific child/ren.
- Ensure that Regulation 8 visits are carried out in accordance with private fostering regulations.
- Monitor the carer's compliance with any requirements that have been made.
- Make a recommendation as to the suitability of the private arrangement in all aspects required by Regulations.
- Consider what other action should be taken or services provided to promote the child's welfare.
- In the event of any concerns, take action in accordance with the department's wider policies and procedure.
- To carry out the annual review of the private foster carer and the arrangements.

## **Definition of a Privately Fostered Child**

In the definition provided by the Children Act 1989, a privately fostered child means:

A child, under the age of 16 (under 18 if disabled) who is cared for or proposed to be cared for and provided with accommodation by someone other than:

- A parent of his/hers.
- A person who is not a parent of his/hers but who has parental responsibility for him/her.
- A close relative of his/hers---- i.e. a close relative **is** an aunt/uncle/stepparent (if married) grandparent/sibling but **not** a cousin, great-aunt/uncle or great-grandparent.
- She/he has been cared for and accommodated by that person for 28 days or more.

A child is **not** privately fostered if the person caring for him/her:

- Had done so for a period of less than 28 days;
- Does not intend to do so for any longer than 28 days.

## **The Local Authority's Duties and Functions under the Children Act 1989 and Children (Private Arrangements for Fostering) Regulations 2005**

The duties of the Local Authorities in relation to private fostering are set out in the Children Act 1989, the Children (Private Arrangement for Fostering) Regulations 2005

and, amendments are contained within the Children Act 2004. The National Minimum Standards for Private Fostering 2005 set out a number of standards to be met by all Local Authorities in discharging their duties which cover the following areas:

- Statement of Purpose
- Notification
- Safeguarding and promoting welfare
- Advice and support
- Monitoring and compliance

Local Authorities have a duty to satisfy themselves that the welfare of children who are privately fostered in their area is being satisfactorily safeguarded and promoted and to secure that such advice is given to those caring for them as appears to the Authority to be needed (The Children Act 1989 Section 67(1) and Section 44 the Children Act 2004). The Local Authority needs to ensure the following duties and functions are carried out:

Where the Local Authority has received notification under Regulation 3: The Children (Private Arrangements for Fostering) Regulations 2005, they must arrange for an officer of the Authority within **seven** working days to:

- Visit the premises where it is proposed that the child will be cared for and accommodated.
- Visit and speak to the proposed private foster carer and to all members of the household.
- Visit and speak to the privately fostered child alone unless the officer considers it inappropriate.
- Speak to and if it is practicable to do so, visit every parent or person with parental responsibility for the child.
- Establish such matters listed in Schedule 2 (2005 Regulations as above) as appear to the officer to be relevant

Where notification is received about a child who is already being privately fostered the duties of the officer remain the same as in section 67(1) of The 1989 Act.

The assessment should include:

- The wishes and feelings of the child or young person about the arrangement.
- The suitability of the private foster carer's household and their capacity to care for the child or young person.
- Arrangements being in place to meet the child's health and educational needs.
- Adequate and clear arrangements being in place between the private foster carer and the birth parents covering such areas as contact, financial support, decision making, health care etc.

All privately fostered children will have an assessment completed following notification of the private fostering arrangement in order to assess their needs and to ascertain whether they require the provision of any additional services. The Social worker will carry out the initial assessment seven days of receiving the notification.

The fostering social worker will assess the suitability of the private foster carer and their household within 42 days of notification.

Assessments as to the suitability of the arrangement are signed off by the Fostering Team Manager and then presented to panel.

If a person is deemed unsuitable then it may be necessary to take legal advice and possibly remove the child. The 2004 Act amended the 1989 Act to ensure that responsibilities of the Local Authority extend not only to those children who are privately fostered but also for those who are proposed to be privately fostered.

Local Authorities have the power to impose requirements on private fostering arrangements or to prohibit them altogether. The parents and carers will be advised of this in writing and advised of the appeals' process.

The duties related to notification and assessment processes are outlined in the Barking & Dagenham private fostering procedures which are accessible to staff and members of the public via the Barking & Dagenham website and through public awareness raising materials distributed at a minimum of once a year.

Social workers will visit the placement in line with Regulation 8 of the 2005 Regulations. The Private fostering social worker will also continue to make routine visits at intervals of not more than every 6 weeks in the first year of their placement and at least 12 weekly thereafter, The Private fostering social worker will make additional visits to a privately fostered child when reasonably requested by the child, the private foster carer, the child's parents or any other person with parental responsibility for the child. The social workers will ensure that privately fostered children are seen alone at each visit; the exception being if an interpreter who is independent of the child's parents and of the private foster carer is used where the child's preferred language is not English.

Information, advice and services may be provided by the Local Authority or other agencies as necessary. Any services provided will be reviewed in line with appropriate procedures. Privately fostered children's health and development will be monitored through regular visits undertaken to the child. Where there are any concerns that they may not be achieving a satisfactory level of health or development, this assessment will be reviewed. Where it is necessary a further assessment will be undertaken.

The Local Authority has a duty to monitor compliance with the duties regarding services and support to private fostering arrangements.

### **Ensuring the welfare of privately fostered children is safeguarded and promoted**

*It shall be the duty of every local authority to satisfy themselves that the welfare of children who are privately fostered within their area is being satisfactorily safeguarded and promoted and to secure that such advice is given to those caring for them as appears to the authority to be needed. **Section 67 (1) Children Act 1989***

In considering the welfare of the children privately fostered within Barking & Dagenham, regard has been given to Section 1 (3) a-f Children Act 1989 and the following values and principles have been devised to inform good practice:

- the welfare of the child is considered as paramount.
- parents and guardians' primary responsibility for their child is recognised and respected.
- children have a right to be treated with dignity and respect.
- children should be valued as individuals with regard to race, culture, language, religion, gender and disability.
- children have a right for their physical and emotional needs to be met.
- children have a right to a safe, child-centred environment.
- children need opportunities for independence and exploration within safe boundaries.
- children have a right to continuous and consistent care.
- due consideration should be given to the wishes and feelings of children and parents/guardians.
- partnerships between parents/guardians, care givers and Local Authority are valued.

The private foster carer is responsible for providing the day-to-day care of the child in a way which will promote and safeguard their welfare. Responsibility for safeguarding and promoting the welfare of the privately fostered child remains with the parent or other person with parental responsibility.

However, it is the duty of Local Authorities to satisfy themselves that the welfare of children who are or will be privately fostered within their area is being satisfactorily safeguarded and promoted.

Barking & Dagenham Children Care and Support Service will ensure that privately fostered children and young people's welfare is safeguarded and promoted by staff adhering to the Regulations on private fostering as outlined below:

Where the Local Authority receives notice that a child is being privately fostered, it will make such enquiries and visits to ensure that the child's welfare is being appropriately safeguarded and promoted and will be done within the statutory timescales.

The child will be seen alone at each visit, unless the social worker considers it inappropriate, because an interpreter, who is independent of the child's parents and the private foster carer, is needed to support the child.

### **The Monthly Fostering Panel**

The Fostering Panel meets on a monthly basis and is chaired by an independent person. It provides an oversight and decision making on assessments, requirements, disqualifications and prohibitions, the members of this meeting have an important compliance and quality assurance role.

The members of this meeting include a fostering manager representative from children's social work services, fostering administrative support, , independent Social worker , and representatives from health, education and other professionals.

The meeting will make recommendations on the suitability of a private foster carer and private Fostering arrangement following assessment.



Where the arrangement is not deemed as suitable, the meeting will recommend appropriate action to the appropriate social work manager.

### **Additional Duties under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005**

Under the Children Act 2004 and the Children (Private Arrangements for Fostering) Regulations 2005 Local Authorities are required to raise public awareness in their area of the requirements regarding notification of private fostering arrangements.

Notifications must be given to the Local Authority when there is a proposal to privately foster a child or when a child is already being privately fostered. This will enable the Local Authority to make such enquiries, to determine whether the welfare of privately fostered children is being satisfactorily safeguarded and promoted. This is achieved through assessment and monitoring of arrangements within statutory timescales.

These measures, along with the National Minimum Standards for Private Fostering 2005, focus Local Authorities' attention on private fostering and require them to take a more proactive approach with partnership agencies and other professionals in identifying arrangements in their area. Local Authorities are expected to improve notification rates and compliance with the existing legislative framework for private fostering. It is intended that these additional measures will improve the arrangements for safeguarding children and young people in private fostering arrangements.

### **Training of Staff**

Information about private fostering will continue to be circulated to relevant professional's staff, within Children Care and Support Service and partnership agencies such as health and education. The Fostering Service will provide additional, specific training to staff across Children Care and support services and its partners if there is a request to provide this or as part of the awareness campaigns.

Staff who are directly involved with the assessment of private fostering arrangements and in providing support and information to carers and children will have access to relevant training and development opportunities as required.

### **How awareness of private fostering and the notification requirements will be promoted**

The Children Act 2004, Schedule 8 of the Children Act 1989, places a duty on Local Authorities to promote public awareness in their area of the notification requirements.

The Local Authority is taking action at regular intervals to raise and maintain public awareness of the need for private fostering arrangements to be formally notified to the Authority. These efforts are aimed at raising the awareness of parents, prospective and actual private foster carers, professionals within Barking & Dagenham, all relevant partner agencies and members of the public. The Local Authority has sought and will continue to seek to raise awareness as follows:

- Publicity materials will contain information about the legal definition of privately fostered children/young people, the procedure for notifying the Local Authority, the benefits of notification and consequences of non-notification.
- Information published on a dedicated webpage for private fostering on the Barking & Dagenham website which includes information on private fostering, notification process, Barking & Dagenham's Statement of Purpose and other useful links.
- Publicity posters will be displayed and publicity materials will be distributed at key access points, e.g. schools, libraries, GP Surgeries, Health centres, Children Centres, voluntary/community sector organisations and council offices. The information leaflets will contain the contact number for private fostering enquires.
- Private fostering presentations /training are continually provided to all staff within the Partner agencies as part of the training programme.
- Private fostering presentations / training with partner agencies, community faith groups, private and voluntary agencies are also undertaken to ensure that private fostering remains on the agenda.
- Targeted private fostering campaigns including seminar presentations and attending community events etc.
- Taking any other action which may be required to promote professional awareness of private fostering requirements across Children Care and Support Service and within partner agencies.

### **Assessment of the suitability of private foster carers and their household**

The London Borough of Barking & Dagenham Children Care and Support Service has a duty to assess the suitability of all potential or actual private fostering arrangements that come to the Local Authority's attention or that they have been notified of.

The Local Authority will undertake such checks and enquiries to ensure that the carers identified by the parents as private foster carers are able to discharge the responsibilities of private foster carers to a satisfactory standard.

Where the Local Authority is notified of a private fostering arrangement, an assessment will be undertaken, which will include:

- Visiting the premises where it is proposed that the child will be cared for and accommodated.
- Visiting and speaking to the proposed private foster carer/s and to all members of their household.
- Visiting and speaking to the child.
- Speaking to and if practicable, visiting every parent of or person with parental responsibility for the child.

The assessment will ascertain whether the private foster carer/s and their household and premises provide an environment in which the child's welfare will be safeguarded and promoted and to determine:

- The carer's capacity to look after the child/ren and the suitability of the household.
- The suitability of the premises in which the child will be or is being privately fostered.
- Whether it would be prejudicial to the welfare of the child to be or continue to be accommodated by the carer in those premises.
- That the arrangements or proposed arrangements are likely to provide a safe and stable environment for the child.

Private fostering social work assessments will ensure that the child or young person's physical, intellectual, emotional, social and behavioural development needs are been met and any needs arising from relationship with their family including contact, his/her religious, ethnic, cultural and linguistic background are met by the private foster carer.

Private foster carers will be given advice on the child or young person's individual needs in order to enhance their ability to care for the child. In completing the private fostering assessment, consideration will be given to ensuring that each child is healthy, safe, able to enjoy & achieve, make a positive contribution and achieve economic well-being.

On completion of the private fostering assessment the case must be presented to the Independent Fostering Panel. The aim of this meeting is to ensure the provision of a high-quality service that safeguards and promotes the welfare of privately fostered children. The meeting ensures compliance with the National Minimum Standards for Private Fostering that private fostering arrangements are safe and suitable for children and that children in such arrangements are protected from abuse, neglect, and exploitation. The Fostering Panel scrutinises the assessment and makes one of the following recommendations:

1. Agreement that the arrangement is suitable
2. Defer
3. Impose Requirements or conditions
4. Prohibit the arrangement
5. Disqualification

The arrangements for determining the suitability of private fostering arrangements are provided in the private fostering carer assessment template.

A continuous part of monitoring will be to check that the private fostering arrangement continues to meet the child/ren's needs and that they are safeguarded and protected.

Barking & Dagenham, in carrying out all its duties and responsibilities in relation to privately fostered children, will seek and have regard to the wishes and feelings of the child. Written reports will be completed following these visits and placed on the electronic care record system. In accordance with the Regulations, written records will include conclusions drawn on the arrangement, whether the arrangement continues to be suitable, whether the child/young person was seen alone (if not, why not), his/her

wishes and feelings about the arrangement, any concerns raised and any relevant advice given.

Carers and parents will also have the contact details of the named social worker for the child who they can contact should they require support, information, advice or have any concerns, worries or questions.

Carers will be provided with the support, information and advice necessary to enable them to be able to take appropriate care of the child they are fostering.

Parents will be provided with support, information and advice to enable them to be able to take care of their own children. Where this is not an option for a period, parents will be provided with guidance and support on how to make sure that the private fostering arrangement meets the needs of their child and keeps them safe and protected. Support and services will also be made available for parents with regards to contact as the Local Authority has a duty to promote contact where children are living away from their parents or family of origin. The Local Authority will provide support around reunification if required.

Where the care of a privately fostered child is unsatisfactory and this cannot be addressed satisfactorily, Barking & Dagenham will, unless they consider that it would not be in the best interests of the child, take such steps as are reasonably practicable to secure that the care and accommodation of the child is undertaken by:

- a parent
- a person who has parental responsibility
- a relative

If any concerns raised about the child suggest that s/he may be at risk, Child Protection Procedures will be followed. Barking & Dagenham Legal Services will be consulted in determining action when necessary.

Barking & Dagenham will also ensure that information regarding private fostering is available for members of the public and for professionals working with children, so that there is a clear awareness of these arrangements and associated procedures.

### **The role of other agencies in safeguarding and promoting the welfare of privately fostered children, including encouraging notification**

It is important that all those who might come into contact with a privately fostered child are aware of the need for such arrangements to be notified to the Local Authority. In particular professionals working in the universal services of health and education have a pivotal role as they will often be the first to become aware of such arrangements.

Such agencies share the Local Authority's responsibility for safeguarding and promoting the welfare of privately fostered children. Other agencies need to be aware that failure by a private foster carer or parent to notify a Local Authority of a private fostering arrangement is an offence and if Local Authorities are not aware of such arrangements they cannot carry out their duty to satisfy themselves that the welfare of the children concerned is being satisfactorily safeguarded and promoted.

Awareness raising/briefing workshops will be provided for professionals and voluntary agencies that have regular contact with children, young people and carers to ensure that they are clear about their role and responsibilities in relation to private fostering arrangements. Additional training will be provided to key professionals as required to provide an appropriate understanding of the policy and procedures which can be disseminated to their agencies.

In addition, other agencies may also be responsible for the provision of services for privately fostered children where there is an assessed need.

**Advice/support and information available to private foster carers (including prospective carers) to parents or those with parental responsibility**

Barking & Dagenham's on-going contact with children and young people in private fostering arrangements will also include a responsibility to provide appropriate advice and guidance and to identify any individual support requirements with the private foster carer.

**Information and support that will be available to privately fostered children.**

Children will have access to their own social worker for advice, information, help and support.

Privately fostered children will also be provided with information, using methods or formats appropriate to their age and level of understanding, including

- About their private foster care and the carer's responsibilities.
- The meaning of their privately fostered arrangement, and their right to be safeguarded.
- Their right to speak openly about their experience and to inform the social worker where they are unhappy about any aspect of the care they receive and how that information will be treated.
- What support is available to them and how to access that support when needed.
- Advocacy services.
- Complaints procedure.

In addition, privately fostered children will be given the contact details of the Social Worker who will be visiting them while they are privately fostered.

**Monitoring the discharge of functions and compliance with part 9 of The Children Act 1989**

The Children (Private Arrangements for Fostering) Regulations 2005 requires Local Authorities to monitor the way in which they discharge their functions under Part 9 of the Children Act.

The Local Authority monitors compliance and evaluates effectiveness in improving practice in relation to private fostering via a number of means including

- Performance data
- Data collated on the Private Fostering Management Spread sheet tracking the progress and outcome for all privately fostered children

### **Line Management and Auditing**

As well as managerial oversight through supervision and signing off reports, the Fostering Team Manager will be expected to monitor compliance.

The purpose of these managerial oversight is to ensure that all required areas of work have been completed to a high standard, within the required timescales and that this has been achieved through

- multi agency working
- partnership with children and families
- child focused practice

### **Matters to be covered in the Annual Report on Private Fostering**

This annual report will provide an overview of private fostering activity in the local area, the actions taken by the Local Authority and set out the extent to which local agencies are cooperating in respect of private fostering matters by having particular regard to the extent to which the Local Authority and other agencies have taken action to:

- Promote staff awareness of the requirements of the Private Fostering Regulations
- Promote public awareness of the requirements of the Private Fostering Regulations
- Identify whether service users may be acting as private foster carers
- Identify whether children using their services are placed with private foster carers
- Provide Private foster carers or prospective private foster carers with advice, guidance and support.
- Promote access to relevant training by private foster carers
- Notify the Local Authority of the placement or proposed placement of any children with private foster carers
- Notify other Local Authorities of the placement or proposed placement of any Barking & Dagenham children with private foster carers in another area.
- Extent to which the requirements of the Regulations are being met in Barking & Dagenham. What additional action is required by the Local Authority and agencies?

### **Consultation/ feedback from Children, Parents, Carers and Professionals**

The private fostering process is designed to check that the views of children, parents and carers are being sought, listened to and evident within the assessment and decision-making process.

The Fostering Panel will also check that the views of children, parents and their carers are evident within the assessment process.

## **Complaints**

Barking & Dagenham Children Care and Support Service recognize the importance of feedback and welcomes complaints, compliments and comments as a valuable form of feedback about its services and performance. Complaints leaflets are provided to private foster carers, to privately fostered children and young people and to their parents. Adults and children are encouraged to discuss any concerns about the service with their social worker and/or the team manager.

Privately fostered children and young people will also have access to an advocate if required and will be given the contact details of advocacy services.

## **Making a Complaint**

Complaints, or indeed general comments or compliments, about the service can be lodged in a variety of different ways with the complaints manager or with the Service Manager for Adoption, Fostering and Placements

On line: [www.lbbd.gov.uk/complaints](http://www.lbbd.gov.uk/complaints)

By email at <mailto:enquiries@ofsted.gov.uk>

## **Further information and advice on Private Fostering**

Advice and information about private fostering can be obtained from The Fostering Service on 0208 2275988.

Barking & Dagenham's Private Fostering Service is located within the Fostering Team at Barking Town Hall, 1 Clock House Avenue, IG11 7LU